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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In re:

LTL MANAGEMENT, LLC,

Debtor.

Case No. 21-30589 (MBK)

Chapter 11

Honorable Michael B. Kaplan

**CENTURY INSURERS' JOINDER IN TRAVELERS' COMPANY'S MOTION FOR
AN ORDER ADDING TRAVELERS AS A MEDIATION PARTY OR, IN THE
ALTERNATIVE, MODIFYING THE MEDIATION PROTOCOL**

The insurers listed in the signature block below (collectively, the "Century Insurers"), hereby join Travelers' motion to be added as a Mediation Party or, in the alternative, modifying the Mediation Order (the "Travelers Motion," Dkt. No. 1900).

As grounds for this joinder, the Century Insurers adopt and incorporate the arguments set forth in the Travelers Motion as if fully set forth here, and also state as follows:

The Century Insurers, along with Travelers and other insurers, are parties to an insurance coverage action in New Jersey state court captioned *Atlanta Int'l Ins. Co., et al. v. Johnson & Johnson, et al.*, MID-L-3563-19 (Law Div.) (the "Coverage Action"). The Coverage Action seeks

declaratory relief resolving disputes arising from demands by J&J and Johnson & Johnson Consumer, Inc. (“Old JJCI,” and collectively with J&J, the “J&J Defendants”) for insurance coverage for talc-related bodily injury claims. The Century Insurers previously joined in Travelers’ motion for relief from the automatic stay to allow the Coverage Action to proceed.¹

As reflected by their joinder in the Lift-Stay Motion, the Century Insurers believe that it would be appropriate and preferable for all insurance coverage disputes relating to talc-related bodily injury claims against the J&J Defendants (and now LTL), to be resolved in the Coverage Action, either by litigation or by mediation under the auspices of the state court presiding over the Coverage Action.

To the extent this Court does not grant the Lift-Stay Motion, however, the Century Insurers request to be designated as Mediation Parties along with Travelers and any other insurers who make a similar request.

In addition, the Century Insurers join in Travelers’ request that the Mediation Order be modified to remove any restrictions that would bar Debtor, Old JJCI, or J&J from disclosing, to the Century Insurers and other insurers, information related to, or exchanged in, the mediation in this bankruptcy case relating to possible settlement of the talc bodily injury claims against the J&J Defendants or LTL. Such disclosure of information is actually required by the cooperation provisions in, or incorporated in, the insurance policies issued by the Century Insurers. Debtor has essentially invited this Court to grant it, and the J&J defendants, judicial authorization to breach the terms of the insurance policies from which Debtor and the J&J Defendants seek insurance coverage. LTL and the J&J Defendants are contractually obligated to assist and cooperate with the Century Insurers in the defense, investigation, and settlement of claims, and

¹ See Dkt. No. 1488 (the “Lift-Stay Motion”).

no mediation order should preclude LTL or the J&J Defendants from complying with those contractual obligations. The Court should therefore modify the mediation order, as requested by Travelers, so that all insurers' contractual rights are respected and preserved.

WHEREFORE, the Century Insurers request that the Court grant the relief requested herein and in the Travelers Motion.

DATED: March 30, 2022

Respectfully submitted,

/s/ Gregory Gennady Plotko

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